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REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE

IN THE

PRESIDENCY OF BOMBAY

FOR THE YEAR 1879.

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REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN THE PRESIDENCY OF BOMBAY FOR THE YEAR 1879.

ORIGINAL JURISDICTION.

I.—THE HIGH COURT.

The High Court at Bombay on its Original Side exercises powers in the following Departments of Jurisdiction, viz. :—

Ordinary Original Civil and Criminal, Extraordinary Civil and Criminal, Admiralty and Vice-Admiralty, Testamentary and Intestate, Insolvent, Matrimonial (Christian and Pársi) and Appellate (from High Courts in Original Jurisdiction).

Original Suits.

At the end of the year 1878, the number of suits pending on the Original Side of the High Court was 1,521,* and the number instituted during 1879 was 1,351. Of the latter total 710 were filed and 13 restored to the Board under the *General Jurisdiction*, 606 were suits in the *Insolvent*, 7 in the *Matrimonial*, 6 in the *Testamentary*, 2 in the *Admiralty*, 4 in the *Pársi Matrimonial*, and 3 under the *Extraordinary Jurisdiction*.

Number of Suits disposed of in 1879.

The total number of suits, therefore, for disposal during the year under report was 2,872 (as compared with 3,227 in 1878); of these 1,543 or 54 per cent. were finally disposed of, 849 or 55 per cent. of the last mentioned number being decided on the merits. At the end of the year there were 1,329 remanets.

Of the suits disposed of :—

325 or about 21 per cent. were dismissed for default (most of these were in reality compromised out of Court),
21 were withdrawn with leave,
64 were compromised,
9 were decreed on confession,
527 or about 34 per cent. were decreed *ex parte*,
361 or 23 per cent. were dismissed *ex parte*,
15 were dismissed by Judge's order in Chambers,
164 or about 11 per cent. were contested,
10 were, in Court, referred to arbitration,
28 were referred to the Commissioner for Taking Accounts,
4 were referred to arbitration by Judge's order in Chambers, and
15 were suits stayed.

Regular Suits how disposed of.

Of the 742 Regular Suits disposed of, 113 or 15 per cent. were contested, 73 or about 10 per cent. being decided in favour of the Plaintiff, and 40 or 5 per cent. for the Defendant.

Extraordinary Jurisdiction

Of the 3 cases filed under the Court's Extraordinary Jurisdiction only one was disposed of, and that in favour of the Defendant.

Testamentary.

Six out of 17 Testamentary cases were decided; of these 3 were dismissed for default, and 3 (contested) were decided in favour of the Applicant. Of the 11 cases pending at the end of 1879, 1 was referred to the Attorney for Paupers in 1876; and in 7 cases caveats were entered during the years 1872 to 1879, but no further proceedings in the same having been taken by the parties they are still considered as pending.

Admiralty.

Two Admiralty cases were decreed *ex parte* leaving 2 in arrears.

* The number given last year in Mr. Walker's Report is 1,064. This discrepancy is explained by the fact that the total given in Mr. Walker's Report only includes the number of Insolvent Petitions pending from the year 1865; whereas by an order of the Court subsequent to the date of the above Report every Petition pending from 1859 was included in the number of petitions undecided.

Two Matrimonial Suits, moreover, were shown as pending at the end of 1878 instead of one.

Matrimonial.

Of the Matrimonial cases, 1 was dismissed for default, 1 compromised, and 1 decided in favour of the Defendant, leaving 5 for disposal.

Pársi Matrimonial.

Three out of 5 Pársi Matrimonial cases were disposed of; only one was contested, and that was decided in favour of the Petitioner.

Insolvency.

Out of 1,243 Insolvency Petitions, 786 were decided, leaving 457 pending at the end of the year.

References from the Bombay Court of Small Causes.

There were 5 references from the Bombay Court of Small Causes, viz., 2 remaining from 1878, and 3 received during the year under report; of these, 2 were disposed of on the merits, leaving 3 pending at the end of 1879.

Appeals under Sec. 15 of the Letters Patent.

At the end of 1878, there remained for disposal 22 appeals from the Court's Original to its Appellate Jurisdiction under Section 15 of the Letters Patent; and 15 were instituted during 1879, making a total of 37. Of these 29 were disposed of, 12 having been heard by two Barrister Judges, and 17 by one Barrister and one Civilian Judge. Of those disposed of, 9 were dismissed for default and 20 were heard and decided on the merits; 15 having been confirmed, 2 modified, and 3 reversed.

Average duration of Suits.

The average duration of suits in the general jurisdiction was 265 days for contested and 261 for uncontested suits. The long average duration of uncontested suits in the general jurisdiction is explained by the fact that in many cases the Plaintiff was unable to find the Defendant for service of summons, and that a large number of suits were filed on the same day by the Agent of a Company in liquidation, in order to prevent their being time-barred; no summonses, however, were applied for, nor any further steps taken in the matter for many months.* The average duration of suits in the Extraordinary and Admiralty Jurisdictions was 86 days for contested, and 37 days for uncontested. In the Matrimonial Jurisdiction the average duration was 139 and 134, respectively, for contested and uncontested suits, and in the Pársi Matrimonial 63 and 52, respectively.

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* The following extract (para. 37) from the Honourable the Chief Justice's letter, dated 20th March 1879, to His Excellency the Governor in Council further illustrates this point:—

"In illustration of what has been said above, in paragraph 35, as to the rapidity with which short causes may be, and are, heard in the High Court, I have annexed, in the appendix of this letter and marked *H.* lists of causes for hearing in that Court on the 25th February and the 18th of March in this year. In the list of the 25th February the short causes, respectively numbered 118, 117, and 120 of 1879 were all instituted in the early part of that month. Nos. 595 of 1876, 406 of 1877, and 59 of 1878 show how even short causes are postponed at the need or pleasure of parties. In the list of the 18th March, the summary suits 191, 192, and 200 of 1879, were instituted in that month, and the short causes extending from 116 to 176 of 1879, were instituted in February; the last four of them having been commenced in the last two or three days of that month. The same list shows long causes instituted in January down for hearing in March. So also does the list for the 10th March, and it, and the other lists, show how long causes become displaced by postponement. I may here mention that, quite recently, I decided an appeal, at the Original Side, in a long suit, in which suit the Plaintiff had not caused the summons to be served on the defendant until nearly two years after the plaint had been filed. It may be convenient here to extract a passage from my demi-official letter of the 7th June 1878 to the Honourable Mr Gibbs:—'In numerous cases, however, the parties for various reasons, are not prepared to proceed to a hearing when the Court calls on their cases. Sometimes up to that time, the plaintiffs have not succeeded in finding the defendants to serve them with process. Sometimes the parties are not ready with their evidence, which occasionally has to be taken by Commissioners, in Europe or elsewhere, whereby great delay occurs. Sometimes they are negotiating for a compromise, and sometimes they are attempting to raise money to carry on the war. There are, as your experience has long since told you, a thousand and one reasons which render postponement necessary, and, were the Court to insist on dismissing the suits, gross injustice would be done. It may be said that unless plaintiffs are ready (to proceed continuously) they ought not to institute suits, but the law of limitation prevents them from being able to wait until then.' In the same letter it has been also said:—'The fact is that the depression of trade, the famine and possibly other causes, have rendered many of the persons, who have suits upon the file, unprepared with the funds necessary to fee their counsel and attorneys; and this paucity of the sinews of war as well on the side of defendants as of plaintiffs, induces both parties to defer the hearing from time to time when the suits are called on in Court, and has enabled me to avoid putting Government to the expense (trifling as it is) of the establishment for a Fourth Division Court (at the Original Side) and also the expense of appointing Acting Judges.' The main cause, both then and still, of the extraordinary extent to which postponement of causes has prevailed for the last year and a half in the High Court is the absence of trade, and presence of general commercial depression, occasioned by the failure of crops."

Actual duration of Suits at the hearing.

During the year under report there were several heavily contested cases, 245 days being taken up in the disposal of 45 suits. From the following tabular statement will be seen the number of contested suits which occupied three days and upwards :—

Number of Suits heard.	Duration of the hearing of each suit exclusive of the day on which judgment was given.	Duration of the forty-five Suits.
9	3 Days.	27 Days.
9	4 „	36 „
9	5 „	45 „
7	6 „	42 „
2	7 „	14 „
6	8 „	48 „
2	9 „	18 „
1	15 „	15 „
45		245 „

Miscellaneous Orders

The total number of orders passed during the year under report was 2,521. Of those 125 were made in applications for letters of administration and 53 in applications for probates, nearly all of which were disposed of by the Registrar on the Testamentary Side. The remaining 2,343 were orders in applications for *ad interim* injunctions, for the appointment of a Receiver or Guardian *ad litem*, for amendments, for postponements, for the discovery of documents, for executions, &c.

The following tabular statement shows the number of suits instituted during the last 5 years :—

	1875	1876	1877.	1878	1879
General Jurisdiction	728	734	820	687	723
Extraordinary „	...	...	..	...	3
Admiralty „	2	1	5	..	2
Testamentary „	9	14	11	7	6
Matrimonial „	3	3	...	1	7
Pársi Matrimonial „	5	4	1	4	4
Insolvent „	633	622	475	565	606
Total ..	1,380	1,378	1,312	1,264	1,351

During the year under report the number of regular suits instituted was slightly below the average for the last six years, whilst those instituted under the Insolvent Jurisdiction was somewhat above.

Appeals to the Privy Council

From the date of the institution of the High Court in 1862 up to the year 1879 there have been 10 Appeals in causes instituted at its Original Jurisdiction Side to Her Majesty in Council. Of these 4 were withdrawn, 4 were dismissed by the Privy Council, and in one the decree was varied. One appeal was pending in 1879*.

During the year under report there was one petition for the admission of an appeal to Her Majesty in Council; it was, however, subsequently dismissed under Rule 9, page 80 of the High Court Rule Book, the security required by Section 602 of Act X. of 1877 not having been furnished.

Expenditure and Receipts.

The total cost of the High Court on its Original Side in 1879 was Rs. 4,41,334-2-2, and the aggregate revenue from various sources amounted to Rs. 2,58,073-6-6, as compared

* This appeal has been since decided, the judgment of the High Court having been affirmed.

with Rs. 4,79,199-5-9 and Rs. 2,87,341-4-0 representing expenditure and receipts respectively in 1878. From the above it will appear that there was a decrease amounting to Rs. 37,865-3-7 in the expenditure, and of Rs. 29,267-13-6 in the revenue of the Court during the year under report.

The decrease in the expenditure is chiefly owing to the actual saving to Government of the charges for rent, taxes and conservancy amounting to Rs. 24,510-7-0 in consequence of the removal of the High Court to the new High Court Buildings.

The remainder of the decrease shown is mainly due to savings effected in the Prothonotary's Office and in the High Court Establishment, taken together with the fact that the Honourable the Chief Justice and one of the Deputy Registrars being absent on leave during a portion of 1879, their salaries for that period amounting to Rs. 11,937-14-5 were not debited. Certain other reductions in the establishment recommended by the Chief Justice and sanctioned by Government are expected to come into operation at the close of the present year 1880 or early in 1881.

II.—CIVIL AND REVENUE COURTS OTHER THAN THE COURTS IN THE PRESIDENCY TOWN.

Suits instituted.

Including suits re-admitted and remanded, the total number of civil and revenue suits instituted in all the Courts of the Presidency of Bombay excluding the town of Bombay itself, amounted to 1,60,325* as compared with 1,46,301 in 1878. From these figures it will be seen that there was an increase of 14,024 suits during the year under review.

The increase of litigation occurred in the following districts, viz., Ahmedabad, Kaira, Broach, Surat, Panch Maháls, Násik, Thána, Kolába, Ratnágiri, Kaládgi, Karáchi, Hyderabad, Shikárpur, and Thar and Párkar, but there was a decrease in Sátára, Belgaum, Sholápur, Dhárwár, Khándesh, Poona and Ahmednagar. The District Judges in general attribute this increase in litigation chiefly to the improved agricultural prospects and the consequent certainty felt by creditors of recovering the value of their claims when brought into Courts of Justice.

The following table shows in detail the suits for money or moveables instituted during the years 1878 and 1879 in all the Courts :—

Description of Suits.	1878.	1879.
On written obligation	95,721	1,00,402
On unwritten obligation	6,550	7,991
On account stated	13,165	17,217
Money had and received	1,418	1,571
Goods sold	6,306	7,950
Breach of contract not mentioned above	845	958
Rent not falling under the rent law	3,894	4,419
Moveable property or value thereof	1,827	2,153
Damages	657	476
Total ...	1,30,383	1,43,137

From the above figures it appears that there was an increase in every description of money suit during 1879 except under the heading "damages." In the Province of Sind, however, there was a decrease also in suits for rent. The total increase amounted to 12,754.

* This total includes 1 Matrimonial suit instituted in the Court of the Judicial Commissioner in Sind.

The subjoined table contains a comparative statement of suits under the rent law and also of other suits not mentioned above:—

Description of Suits.	1878.	1879.
Enhancement or abatement of rent	.....	3
Relating to Distraint	4	.....
For Pothahs or Kabuláyats	5	7
For recovery of money or accounts from agents ...	.....	1
All other suits under the rent law not included above.	3	.....
Suits for immoveable property...	8,702	9,303
Suits for specific performance of contract	234	10
Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	5,612	5,240
Suits to declare and establish personal rights ...	103	96
Suits for an account	75	84
Suits relating to religious endowments	8	19
Suits to set aside judgments, contracts, obligations, on the ground of fraud	49	103
Suits for dissolution of marriage	8	20
Suits for enforcement of matrimonial rights	118	84
Suits for partition	100	107
Suits relating to shipping	3	20
Suits relating to religion and caste	16	23
Total ...	15,040	15,120

It appears from this table that there was an increase during the year in each description of suits, except those for the specific performance of contract, for the declaration of personal rights and for enforcement of matrimonial rights. The marked decrease under the first heading (except in Sind, where there was a very slight increase) is not noticed by any of the District Judges. Of the total number of suits instituted, those for money were 90 per cent., of which 70 per cent. were brought on bonds, 6 per cent. on verbal agreements, 12 per cent. on account stated, and 6 per cent. for price of goods sold. The suits connected with land were 6 per cent. of the total number, and exceeded those for the previous year by 601.

The total number of suits primarily instituted in the District Courts, inclusive of the Joint and Assistant Judges was 282, being 43 suits more than in the preceding year. In the Subordinate Courts, the number was 133,086. The following table shows the number of suits instituted and disposed of in the Subordinate Courts of each District, including those of the Subordinate Judges exercising Small Cause Court jurisdiction, for the years 1878 and 1879:—

Subordinate Judge's Courts	Number of Suits instituted.		Number of Suits disposed of.	
	1878.	1879.	1878.	1879.
Ahmedabad	5,287	6,086	5,188	7,282
Kaira	7,263	8,406	6,894	8,475
Surat	2,939	3,686	3,372	3,812
Broach	3,515	4,450	3,864	5,118
Thána	5,752	6,122	5,457	5,923
Kolába	3,394	3,445	3,344	3,786
Násik	9,967	10,477	9,200	11,337
Ratnágiri	6,451	6,712	7,327	7,371
Khándesh	18,156	19,696	17,638	19,979
Carried over ...	62,724	69,680	62,284	73,083

Subordinate Judge's Courts.	Number of Suits instituted.		Number of Suits disposed of.	
	1878.	1879.	1878.	1879
Brought forward ...	62,724	69,680	62,284	73,083
Ahmednagar	7,782	7,879	7,338	8,356
Poona	7,007	6,263	7,279	7,039
Sholápur	5,178	4,259	5,210	4,692
Sátára	7,844	7,798	8,269	8,064
Belgaum	3,898	3,659	3,840	3,637
Kaládgi	2,713	2,774	2,691	2,864
Dhárwár	4,266	3,899	4,199	4,065
Kánara	2,266	2,535	2,271	2,608
Panch Maháls.	867	1,490	742	1,604
Karáchi	2,204	3,906	2,182	3,897
Hyderabad	7,061	9,691	6,975	9,327
Shikárpur	6,107	9,522	5,944	9,285
Thar and Párkar	157	231	186	231
Total ...	120,074	133,086	119,410	139,352

It has been shown in the above table that there was an increase during the year under review in the number of suits instituted and for disposal in the Courts of the Subordinate Judges. This advance was most marked in the Khándesh, Násik, Kaira, Ahmedabad, Karáchi, Hyderabad and Shikárpur Districts and in the Panch Maháls; while in the Poona, Sholápur, Sátára and Belgaum Districts there was a slight decrease. As pointed out in another portion of this report, it is not improbable that the decrease of litigation in some of the Dekkhan districts was partially due to the working of the Dekkhan Agriculturists' Relief Act, which came into force on the 1st November 1879.

The following table shows the number of cases for trial before the various Courts in the Mofussil, the number disposed of, and the number pending :—

Courts.	Total Number for disposal.	Total Number disposed of.	Pending.
Mofussil Small Cause Courts	20,590	18,459	2,126
Unpaid Local Tribunals	244	203	41
Paid Sub-Divisional Tribunals...	1,49,818	1,25,160	24,613
Ditto exercising Small Cause Court Jurisdiction	16,094	14,192	1,902
District Judges' Courts, including Senior Assistant Judges, &c.	1,737	1,531	206
Cantonment Magistrates exercising Civil Jurisdiction	1,487	1,456	31
Revenue Courts	7,348	7,117	231
Total ...	197,318	168,118	29,150
Results in 1878 ...	180,502	145,018	36,011

From the above statement it will be seen that although the number for disposal in 1879 exceeded the number in 1878 by 16,816, the arrears at the end of the year fell short by 6,861.

Disposal of suits in the District Courts

Of the total number of suits disposed of* 1,531, or 1,111 more than in 1878, were decided by the District Courts, including the Courts of the Joint and Assistant Judges. Of the suits decided, 131 were contested, 64 being decided in favour of the plaintiff and 67 for the defendant, 23 were decreed *ex parte*, 2 were

* This increase is attributable to the fact that 981 survey land suits in the Kánara District Court were disposed of in June and July 1879 on receipt of the order of Her Majesty in Council, dismissing the appeal preferred against the decision of the High Court in the case of Vaikunt Bápuji *vs.* The Government of Bombay.

dismissed *ex parte*, 807 were dismissed for default, 33 were compromised and the rest were otherwise disposed of.

Disposal of suits in the Subordinate Courts.

In the Courts of the Subordinate Judges there were 24,644 contested suits disposed of, 20,927 being decided in favour of the plaintiff, and 3,717 for the defendant. Besides these, 17,397 suits were compromised, 69,776 were disposed of *ex parte*, 12,563 were dismissed for default, 11,873 were decreed on confession, and the rest otherwise disposed of.

Ex parte Decrees.

One of the chief points in the working of the Courts which calls for special notice is the high percentage of cases decided *ex parte* in the Courts of the Subordinate Judges. During the year under review more than 50 per cent. of the whole number were so disposed of. This state of affairs in the action of the Courts, although to some extent unavoidable, is a peculiar feature in the administration of civil justice in the Presidency of Bombay. The Courts in other parts of India show a much lower percentage. *Ex parte* decisions were most numerous in Kaládgi, Sátára, Khándesh, Dhárwár, Kaira, Belgaum, Broach and Ahmedabad, and especially so in the Kaládgi District, where the percentage was 74. The lowest percentage of *ex parte* decisions is found in the returns for the Panch Maháls and Sind. Compared with last year, the figures under this heading show a slight decrease, although the percentage is still very high.

Suits by or against Government or public officers.

During the year under review, there were 37 suits instituted, in which Government or public officers were parties, as compared with 64 in 1878. The largest number of such suits was instituted in Ahmedabad and Dhárwár. In the Sátára District Court one suit was brought by Government.

Of the suits instituted against Government or public officers, 13 were for money, 11 related to immoveable property or rights therein, 6 to personal rights, and 3 were suits under the rent law. Of the money suits, 7 related to claims of less than Rs. 500.

Information respecting the disposal of these suits is very incomplete. It appears, however, that in the Ahmedabad District 12 were decided in favour of Government, 4 were compromised, and 6 decided against Government. In the Thána District 5 suits were contested, 4 being decided in favour of, and 1 against, Government. No information is given respecting the other districts.

Mofussil Small Cause Courts.

The Mofussil Small Cause Courts are situated in the following towns:—Ahmedabad, Nadiád, Broach, Surat and Poona. The Ahmedabad and Nadiád Courts are presided over by one Judge with an unpaid Registrar at Nadiád, who is also 2nd Class 3rd Grade Subordinate Judge of the same place. At Surat and Broach one Judge performs the work of both Courts with the assistance in the latter of a paid Registrar, who decides all claims not exceeding Rs. 20. The Poona Court also consists of one Judge and a paid Registrar.

The Judges of these Courts are invested with summary jurisdiction in suits for the recovery of pecuniary claims not exceeding Rs. 500; the Registrars have jurisdiction up to Rs. 20.

In addition to the Courts already mentioned, there is a Court of Small Causes at Karáchi, consisting of one Judge and a paid Registrar. The latter official was appointed in December 1879. During the year under review, 18,301 suits were instituted in the above Courts as compared with 17,792 in 1878. The number for disposal including the remanets from 1878 was 20,590 against 19,234 of the preceding year. The number of suits disposed of in 1879 amounted to 18,459, leaving 2,126 suits in arrears at the close of the year as compared with 2,289 in 1878. It will be seen from the above figures that although the number of suits for disposal exceeded that in 1878 by 1,356, the arrears at the end of 1879 were 163 less.

Of the total number of suits disposed of in all the Small Cause Courts, only 14·49 per cent. were contested, 6·39 were dismissed for default, 41·08 decreed *ex parte*, and 36·20 were withdrawn with leave, compromised, or decreed on confession; the rest were otherwise disposed of. 82·51 of the contested suits were decided in favour of the Plaintiff.

The average duration of contested and uncontested suits was 88 and 38 days, respectively.

The following table shows the number of suits instituted, disposed of, and pending in each Court, as well as the number of suits decreed *ex parte*:—

Name of Court		Instituted.	Disposed of.	Pending.	Decreed *ex parte*.
Mofussil.	Poona	5,422	5,873	444	41·32
	Surat and Broach ..	5,070	4,908	768	29·44
	Ahmedabad and Nadiád .	5,061	4,879	779	52 28
Sind—Karáchi		2,748	2,799	135	41·44

Comparing the work done by the various Mofussil Courts of Small Causes, it will be seen from the preceding table that the arrears are heaviest, the *ex parte* decrees most numerous, and the number of suits instituted the fewest in the Ahmedabad and Nadiád Court. The Poona Court, as in former years, shows perhaps the best results upon the whole. The decrease in the number of suits instituted in the Karáchi Small Cause Court is explained to some extent by the fact that a large number of persons of all classes were drawn away from Karáchi by the Afghan war, and the unprecedented sickness which prevailed in Karáchi during a great portion of the year may have affected the business of the Court to some extent. It should be noticed, however, that the decrease in litigation only affected suits ranging under Rs. 100, for there was an increase of suits founded on claims above that sum.

Unpaid Local Tribunals.

The Unpaid Local Tribunals in this Presidency are composed of certain Jághírdárs, Saranjámdárs and Inámdárs, who have power to decide suits within the boundaries of their respective estates under the provisions of Regulation XIII. of 1830 and XV. of 1840.

The decisions of all Jághírdárs except those enumerated in the list furnished by Government from time to time are open to appeal. Their jurisdiction extends to the trial of all original suits of whatever amount, which may be either filed in their Courts or may be referred to them by the Agent or Judge.

The number of suits for disposal in these Courts during the year under review was 244 as compared with 209 in 1878. Of the 244 suits, 186 were instituted during the year, and 203 were disposed of against 138 in the previous year. At the end of 1879 there were 41 suits pending. With a very few exceptions, all the suits instituted related to money.

Cantonment Magistrates exercising Civil Jurisdiction.

In the Courts of the Cantonment Magistrates of Poona and Belgaum who exercise Civil Jurisdiction, there were 1,487 suits for disposal, including 1,402 instituted during the year as against 1,727 for disposal, and 1,646 instituted in 1878. The suits disposed of amounted to 1,456 or 186 less than in the previous year, and there were 31 pending at the end of 1879. The number of suits disposed of in Poona exceeded those in Belgaum by 11·74. The total number of suits decreed *ex parte* in both Courts amounted to 651, of which 583 were disposed of in Poona.

Revenue Courts

The ordinary so-called Revenue Courts of this Presidency are the Mámlatdárs' Courts constituted under Bombay Act III. of 1876. The nature of the jurisdiction of these Courts is laid down in Section 4 of the above Act, and relates to questions of disputed possession, and not to matters of revenue.

There is one Unpaid Revenue Court in the Násik District. Seven thousand and sixty-eight suits were instituted in all the Revenue Courts during the year, which, with 224 remaining from last year and 60 received by transfer, gave 7,348 suits for disposal. Of these 7,117 suits were decided, leaving 231 in arrears. The High Court feels very doubtful as to the correctness of the statistics shown in this report, which relate to Revenue Courts. It is open to question whether there are any Courts in this Presidency, which can properly be designated Revenue Courts. It is certain that there is no uniformity in the

practice of Collectors regarding the entries made under the heading of "Revenue Courts." It is hoped that in the Administration Report for next year, greater accuracy and uniformity will be attained in this particular: for the High Court has under consideration the issue of definite orders to the Collectors on the subject. For the present the statistics furnished by the Collectors, and which are no doubt made out in accordance with their former practice, as shown in previous Administration Reports, have been adopted in this report.

Average duration of Suits.

The average duration of contested and uncontested suits in all the Courts exclusive of the High Court shows a decrease of 15 days for the former, and an increase of 1 day for the latter as compared with the previous year. The average number of days during which each contested suit lasted in the various Courts stated below was as follows:—

District Judges	367 days.
Joint and Assistant Judges	231 „
Subordinate Judges	240 „
Do. with Small Cause Court Jurisdiction ...	83 „
Small Cause Courts	88 „
Cantonment Magistrates...	13 „
Unpaid Courts	164 „
Paid Revenue Courts	54 „
Unpaid Revenue Courts	42 „

The duration of contested suits in District Courts was by far the most protracted in the Kaira, Kolába and Dhárwár Districts. In the Kaira District the average duration of a contested suit was 1,050 days or nearly three years. The shortest duration was in Belgaum. In the Subordinate Courts, although the average duration of contested suits is somewhat less than that of the previous year, there is room, nevertheless, for great improvement in some of the Courts. The average duration of a contested suit in the Subordinate Courts of the Thána District was 650 days, in the Násik District 492, and Ratnágiri 467. The shortest duration is to be found in the Courts of the Panch Maháls and Sind, the average duration of contested suits being 73 days in the former and 26 in the latter.

The longest average duration of contested suits in District Courts was in the Broach District, where it was 855 days or above 2 years. No explanation is given by any of the District Judges for the long duration of contested or uncontested suits, but their attention has been specially called to the subject by the High Court. The Poona District Court shows the shortest duration of uncontested suits.

Value of Suits.

The total value of suits under adjudication during 1879 amounted to Rs. 1,47,66,501-13-9 or Rs. 99,016-6-7 more than in 1878. Of that sum, Rs. 1,43,10,374-2-6 represent the value of suits decided in the Civil Courts, and Rs. 4,56,127-11-3 the value of those disposed of by the Revenue Courts. In 1878 the figures were as follows:—

In the Civil Courts	Rs. 1,42,25,889-5-6
In the Revenue Courts	„ * 4,41,596-1-8

The value of suits in the Civil Courts was thus distributed:—

					Percentage of Value on Total Value of all Suits.
Not exceeding	Rs.	5	...	...	·25
„	„	20	...	...	3·81
„	„	100	...	...	26·70
„	„	500	...	...	34·31
„	„	1,000	...	...	10·04
„	„	5,000	...	..	14·28
„	„	10,000	...	...	2·48
„	„	1,00,000	...	...	3·33
Exceeding	„	1,00,000	...	...	4·79

It will be seen from the preceding table that the percentage of value as compared with that in 1878 shows an increase in every class of suit except in those not exceeding Rs. 10,000 and Rs. 1,00,000.

* The total value of Revenue Suits disposed of is given as Rs. 41,596-1-8 at p. xcii., Judicial Statement E. of the Administration Report for 1878-79; that sum is evidently a misprint.

Execution of Decrees.

The marked increase in the number of applications for the execution of decrees is an important feature in the working of the various Courts during the year. Compared with 1878, the number of such applications for disposal shows an increase of 27,332. There was, moreover, a decrease in the number of unexecuted decrees at the end of the year. The increase in the number of applications filed took place in all the Courts except the Unpaid Local Tribunals and the Courts of the Cantonment Magistrates exercising Civil Jurisdiction.

The number of decrees wholly executed was 30,969, showing an increase of 3,183; whilst those partially executed amounted to 69,267 or 21,756 more than in the previous year. There was also an increase in the Civil Courts of 249 decrees executed by possession being given, the total number being 2,971; in the Revenue Courts, however, there was a decrease of 46.

The decrees pending at the end of 1879 amounted to 62,401, which number, although very large, shows, as stated above, a decrease of 8,817 as compared with the previous year.

Various causes are assigned by the District Judges for the increase in the number of applications filed and disposed of during the year. Most of the Judges are of opinion that the greater prosperity of the people and the improved agricultural prospects in the Mofussil have brought about the results noticed above. In some districts, however, special causes are assigned. It is not improbable that in some of the Dekkhan districts, at least, decree-holders were anxious to obtain satisfaction of their decrees before the passing of the Dekkhan Agriculturists' Relief Act.

Coercive Processes.

During the year under review execution was effected by imprisonment in 3,926 cases, or 98 more than in the previous year. The returns relating to coercive processes issued by the paid Sub-Divisional Tribunals show a marked increase in cases where movable and immovable property was attached and sold. Taking all the Courts together, movable property was attached in 15,787 instances, and sold in 4,952; immovable property was attached in 20,474 and sold in 11,371.

During the year there was a decrease of 73 in the number of orders passed under Sections 305, 322 and 326 of Act X. of 1877.

The following table shows the number of applications for execution of decrees filed, and the number executed and pending in the Subordinate Courts of each district during the years 1878 and 1879 :—

	Applications filed.		Decrees completely executed.		Decrees partly executed.		Decrees unexecuted.	
	1878.	1879.	1878.	1879.	1878.	1879.	1878.	1879.
Ahmedabad	8,735	8,901	1132	1,190	1,059	2,013	2,960	2,975
Kaira	19,098	21,131	2,302	2,486	5,386	6,423	6,626	6,217
Surat	4,733	5,211	629	831	1,002	1,173	1,522	1,627
Broach	10,335	12,155	1,010	863	2,692	2,196	2,553	3,748
Panch Maháls ...	765	1,533	223	398	431	829	300	276
Khándesh	31,472	34,812	3,179	3,902	8,753	7,205	12,126	10,149
Thana	10,795	11,291	1,069	1,529	1,586	1,947	4,636	4,228
Kolába	6,272	7,135	849	944	861	1,036	2,036	2,363
Násik	14,173	16,520	2,042	2,284	2,490	3,412	3,587	3,063
Ahmednagar	15,264	14,582	1,038	1,281	1,487	1,954	6,720	4,099
Poona	13,519	12,829	1,308	1,378	2,787	12,782	5,355	4,024
Sholápur	6,069	4,923	1,136	797	986	983	1,843	1,078
Sátára	11,726	12,407	1,533	1,581	2,270	2,553	4,834	3,894
Belgaum	3,309	3,207	539	663	2,627	3,099	1,673	1,119
Kaládgi	1,945	2,672	1,398	2,302	348	561	771	580
Dhárwár	3,490	3,481	506	504	1,626	2,404	1,385	979
Ratnágiri	8,404	9,481	1,460	1,555	1,541	1,444	3214	2,924
Kánara	1,923	2,083	889	910	182	312	601	542
Karáchi	938	1,238	445	623	127	166	81	112
Hyderabad	2963	3,403	840	791	301	395	478	606
Shikárpur	3,586	4,003	916	1,163	534	562	372	623
Thar and Párkar ...	23	47	22	29	1	14	3	7

Insolvency.

No detailed information regarding applications under the Insolvency Provisions of Chapter 20 of Act X. of 1877 has been furnished, except by the District Judge of Karáchi, in whose district there were 19 applications to be declared insolvent by persons arrested in execution of decrees.

In 11 cases the applications were granted, 4 were refused after enquiry, 3 were rejected for non-payment of process fees, and in one case the application was withdrawn.

Miscellaneous applications.

Information respecting miscellaneous applications and petitions is only furnished by the District Judges of Surat, Khándesh, Sátára, Belgaum and Kánara. One hundred and ninety-four such applications were disposed of in Surat, 94 in Khándesh, 47 in Sátára and 20 in Kánara. One hundred and ten applications were filed in Belgaum, but no information is given as to the number disposed of.

The following table gives some details in connection with the above applications :—

District.	Disposed of under						Applications of other kinds
	Regulation VIII. of 1827.	Act XX. of 1864.	Act IX. of 1861	Act XXXV. of 1858.	Act X of 1870.	Act XXVII. of 1860.	
Surat	36	58	2	1	2	16	79
Khándesh ...	13	43	1	...	11	6	20
Sátára	21	23	...	1	2	...	...
Kánara... ...	1	17	1	1	...	...	...
		Instituted under the above Acts.					
Belgaum ...	44	56	...	1	...	8	1

III.—APPELLATE JURISDICTION.

The High Court.

Jurisdiction, &c.

The extent and nature of the jurisdiction and powers of the High Court on its Appellate Side are in general as follows :—

(1.) Appellate Civil and Criminal Jurisdiction over the whole Presidency of Bombay, excepting the Small Cause Courts and all the Courts of Sind and the Panch Maháls.

(2.) Extraordinary Civil and Criminal Jurisdiction in cases in which no appeal is provided by law.

(3.) Power to dispose of references for the confirmation of the sentence of death under Section 287 of Act X. of 1872.

(4.) Power to transfer a Civil or Criminal case from one Court to another or to try the case itself under Section 25 of Act X. of 1877, and Section 64 of Act X. of 1872 respectively.

(5.) Power to dispose of Civil references from Mofussil Civil Courts under Section 617 of Act X. of 1877 and Criminal References under Section 297 of Act X. of 1872.

(6.) Matrimonial Jurisdiction under Acts XV. of 1865 and IV. of 1869 over the whole of the Bombay Presidency (excepting the Presidency Town) and the Central Provinces.

(7.) Appellate Civil Jurisdiction over the Military Courts of Requests under Act XI. of 1841.

(8.) Civil and Criminal Jurisdiction under the provisions of Her Majesty's Order in Council, No. 28, dated 23rd August 1866, in cases disposed of by the Consul-General at Zanzibar.

(9.) Civil and Criminal Jurisdiction under Act II. of 1864 in cases disposed of by the Political Resident at Aden.

In addition to the above, the High Court exercises power of supervision over the work done by all the Mofussil Civil and Criminal Courts in the Presidency (except Sind and the Panch Mahâls).

Two Division Courts generally sit for hearing Regular or First Appeals and Special or Second Appeals from Decrees and Orders in Civil cases where such are allowed by law, and for considering Civil matters belonging to the Extraordinary Jurisdiction; as also in appeals, revision, and reference in Criminal cases according to Act X. of 1872 and other special and local laws.

Each Division Court is composed of two Judges; and in Full Bench cases of three or more. A single Judge sits only to confirm the decrees of the Lower Court under Section 551, or to dismiss Appeals under Section 555 of Act X. of 1877. A single Judge may also dispose of formal matters under Chapter X. of the High Court Rules, and may call up Criminal Records for revision, and order transfers of Criminal cases.

Appeals.

The remanets from 1878 amounted to 225 on the Appellate Side of the High Court; and during the year under report 548 new appeals were instituted: the total number, therefore, for disposal was 773. Of these 565 or 73 per cent. were disposed of; and of the 208 appeals pending at the close of the year, 99 were over 4 months. Out of the number disposed of, 344 or 61 per cent. were contested, 195 or 34 per cent. heard *ex parte*, and 26 otherwise decided. As regards the contested appeals, it may be mentioned here that 199 were confirmed, 38 modified, 63 reversed and 44 remanded.

Besides the appeals mentioned above, there remained for disposal on the Appellate Side of the High Court one original suit from Zanzibar which was transferred to the High Court under Section 25 of Act X. of 1877; this suit was subsequently transferred to the Original Side.

The following tabular statement shows in detail the Civil Appeals which were filed and decided by the High Court on its Appellate Side during the years 1878 and 1879:—

	Filed.		Disposed of.	
	1878.	1879.	1878.	1879.
I.—First Appeals...	48	30	81	47
II.—Second Appeals	449	469	480	474
III.—*Miscellaneous*—				
First Appeals	28	25	28	24
Second Appeals	2	6	6	2
Appeals under Section 15, Letters Patent.	1	...	1	1
Under Act XXVII. of 1860 ...	...	4	1	3
Under Act XX. of 1864	10	11	12	12
Under Act X. of 1865	1	3	1	2
Total ...	539*	548	610†	565†

* Mr. Walker, in his report for 1878, states that 540 appeals were instituted during that year, but this is an error, for that total includes one original suit from Zanzibar.

† These totals include some Regular and Special Appeals pending previous to the introduction of Act X. of 1877.

From the above it will be seen that there was an increase of 9 in the total number of appeals filed in 1879; whereas the number of appeals decided during the year was 45 less than in 1878. In 1879 the number of appeals decided was only 17 in excess of those filed, as compared with 71 in the preceding year.

The following statement shows the number of appeals instituted in the High Court, Appellate Side, during the years 1870 to the end of 1879 :—

Year.	Regular and First Appeals.	Miscellaneous Appeals.	Special and Second Appeals.	Miscellaneous, Special and Second Appeals.	Total.
1870	98	15	679	37	829
1871	112	18	620	40	790
1872	125	27	539	29	720
1873	80	28	548	26	682
1874	55	37	555	32	679
1875	68	56	433	31	588
1876	57	25	419	27	528
1877	64	31	372	15	482
1878	48	40	449	2	539
1879	30	43	469	6	548

From the above statement it will be seen that there has been a steady decrease in the number of appeals to the High Court from the Districts since the year 1870 up to the year 1877, during which year they reached their lowest number. The paucity of appeals in 1877 is usually attributed to the general distress and high prices which prevailed throughout the Presidency during that year, and the correctness of this view is corroborated by the fact that the number of appeals has increased year by year since 1877.*

References from Mofussil Small Cause Courts.

There were 6 References from Mofussil Small Cause Courts pending from 1878, and 7 were received during the year: out of the 13 for disposal 9 were decided.

Miscellaneous Orders.

Besides the above, there were 1,949 Orders passed in Miscellaneous Matters, such as Ordinary Civil Applications, Applications under the Extraordinary Jurisdiction of the Court, References under the Stamp Act, &c., exclusive of 2,384 orders passed on Returns and matters disposed of weekly in Chambers by the Judges.

References to the Full Bench.

There were 5 References to the Full Bench during the year under report, 2 being founded upon First Appeals, 2 upon Second Appeals, and 1 upon a Petition under the Extraordinary Jurisdiction.

Reviews of Judgment.

The number of Reviews of Judgment disposed of was 23 as compared with 37 in 1878.

Number of days of sitting in Court.

For the hearing of Appeals two Division Courts sat 256 days. The First Division Court sat 139 days, and the Second Division Court for this class of business 117 days.

Average duration of Appeals.

The average duration of Appeals on the Appellate Side of the High Court, including Appeals disposed of by a single Judge under Section 551 of Act X. of 1877 was 2 months and 15 days.

Duration of Appeals at the hearing.

During the year under report there were several heavily contested appeals. The following tabular statement shows the number of appeals which took 3 days and upwards at the hearing :—

* It will, perhaps, not be out of place to state here, that during the first six months of the year under report only 313 appeals were filed as compared with 391 of the present year (1880).

Number of Appeals heard.	Duration of the hearing of each Appeal inclusive of the day on which judgment was given.	Duration of the 28 Appeals.
1	62 Days.	62 Days.
1	19 "	19 "
1	8 "	8 "
2	6 "	12 "
6	4 "	24 "
17	3 "	51 "
28		176 "

Appeals to the Privy Council.

From the date of the establishment of the High Court in 1862 down to the end of the year under report there were 21 appeals from decrees at its Appellate Side to Her Majesty in Council. Of these 14 have been disposed of as follows :—

In 10 cases the decrees were confirmed; in 1 the decree of the High Court was reversed and that of the District Court confirmed; in another the decree was reversed and the case remanded. Two were struck off the list by the Privy Council for want of prosecution Besides these, three were allowed by the High Court to be withdrawn.

At the end of the year under report there were, therefore, 4* appeals pending before the Privy Council; of these 1 was instituted during the year.

Expenditure and Revenue.

The total cost of the High Court on its Appellate Side in 1879 was Rs. 2,79,809-0-1; and the total receipts from stamps and all other sources amounted to Rs. 24,351-4-0.

Sadar Court Sind.

During the year under review there were 42 appeals for disposal in the Sadar Court. Of these 34 were disposed of, 16 being First and 18 Second Appeals. Of the total number disposed of, 11 were confirmed, 5 modified, 12 reversed and 6 dismissed, leaving 8 in arrears, of which 4 were over 4 months. As regards the 16 First Appeals disposed of, 14 were from the Judge of Karáchi, 1 from Hyderabad and 1 from Shikárpur.

In addition to the above, 4 Miscellaneous Appeals, 2 applications under Section 622 of the Code of Civil Procedure, and 1 application under Section 598 for leave to appeal to Her Majesty in Council were disposed of by the Sadar Court.

IV.—APPELLATE COURTS IN THE MOFUSSIL AND SIND.

Appeals instituted.

During the year under review 3,230 Civil Appeals, or 230 more than in 1878, were instituted in the districts. The arrears from the previous year amounted to 3,338. Adding these to the number instituted, 6,568 appeals remained for disposal, as compared with 6,348 in 1878.

It will be seen from the following table that an increase in appeals was most marked in the Ratnágiri, Thána, Kolába, Sátára and Násik Districts; there was, however, an increase in every district except Broach, Belgaum, Sholápur, Ahmednagar, Karáchi, Hyderabad and Shikárpur, in which there was a decrease, and Kaira and Dhárwár, in which the number was the same as in the previous year :—

* Two of these have been since decided, the decrees of the High Court having been confirmed in both.

	Number instituted.		Number disposed of.		Contested Appeals.		Pending.		REMARKS.
	1878.	1879.	1878.	1879.	1878.	1879.	1878.	1879.	
Ahmedabad ...	134	148	86	170	51	142	185	162	Appeals transferred from one Court to another are not included in this Return.
Kaira	115	115	80	153	48	138	186	148	
Surat	84	115	114	134	75	105	226	207	
Broach ...	71	64	102	154	83	134	278	188	
Thána	166	228	254	151	214	121	189	266	
Kolába... ...	182	245	177	152	161	130	204	297	
Násik	178	224	76	176	66	162	357	405	
Ratnágiri ...	509	616	404	562	325	457	614	668	
Khándesh ...	193	210	183	230	168	203	149	129	
Ahmednagar ...	159	89	99	46	81	88	188	231	
Poona	172	177	239	182	185	144	28	23	
Sholápur ...	97	73	166	96	142	85	56	33	
Sátára	236	287	234	251	211	223	121	157	
Belgaum ...	154	109	171	130	151	115	88	70	
Kaládgi ...	37	56	57	51	46	37	47	52	
Dhárwár ...	142	142	207	185	179	124	124	81	
Kánara ...	148	152	171	185	157	161	179	146	
Panch Mahále ...	37	39	30	84	22	78	84	40	
Karáchi ...	8	5	11	5	10	5	2	2	
Hyderabad ...	41	26	47	23	43	19	10	13	
Shikárpur ...	137	107	143	87	132	75	24	44	
Thar and Párkar ...	...	3	...	2	...	...	...	1	
Total ...	*3,000	3,230	*3,051	3,209	*2,550	2,696	*3,339	3,363	

These figures were taken from Mr. Walker's Report on the Administration of Civil Justice for the year 1878, p. 12.

No special reason is given by any of the District Judges for the increase of appeals during the year. There is little doubt, however, that the same causes which brought about the general increase of original suits have also given rise to the increase of appeals.

Appeals decided.

The number of appeals decided in 1879 was 3,209 as compared with 3,051 in the previous year. Of the 3,209 appeals disposed of, 2,696 or 84 per cent. were contested; 284 or 9 per cent. were heard *ex parte*, and the rest were dismissed for default. Of the contested appeals, 1,784 or 66·17 per cent. were confirmed, 414 or 15·36 per cent. were reversed, 367 or 13·61 per cent. were modified, and 131 or 4·86 per cent. were remanded.

The District Judge of Thána, in whose Court there was a decrease in the number of appeals decided, assigns that result to the exceptionally heavy Criminal Sessions during the year. The same cause probably brought about the decrease in the Poona Court. Most of the Judges, however, give no explanation in reference to the increase or decrease in the number of appeals decided in their respective Courts.

The Judge of Ratnágiri attributes the accumulated arrears of appeals in that district mainly to the absence of an Assistant Judge for a period of three years during the last five years.

Appeals pending.

At the close of the year, the arrears of undecided appeals amounted to 3,363. This number shows an increase, on the whole, of 25 as compared with the previous year. The greatest clearance of arrears was effected in the Dhárwár District Court, where, however, 21 per cent. of the appeals disposed of were confirmed under Section 551 of the Code of Civil Procedure.

Objections under Section 561 of Act X. of 1877.

During the year 51 objections were taken under Section 561 of the Code of Civil Procedure, and of these 13 were allowed.

Miscellaneous Appeals.

It would appear from the information given by the District Judges regarding Miscellaneous Appeals, that 13 such appeals were disposed of during the year in the Surat District, 6 in Kánara, and 16 in Sátára. The other District Judges give no information on this point.

V.—GENERAL.

The general results and character of litigation in 1879.

The character and general results of the litigation in this Presidency during 1879 are just such as might be expected in a year, when the commercial and agricultural portions of the community are re-gaining their normal condition of prosperity after a period of depression and high prices.

It has been shown in another portion of this report that there was a large increase during the year in the number of suits instituted, for disposal, and disposed of. This applies to suits of every nature except those for the *specific performance of contract, for the declaration of personal rights*, and *for the enforcement of matrimonial rights*, in all of which there was a slight decrease. Notwithstanding the greater amount of work for disposal before the various Courts, the returns show a marked decrease at the close of the year in the number of pending suits, and only an increase of 25 in the number of appeals. The total value of suits was also considerably greater. There is nothing worthy of special notice in the nature of that portion of the litigation which showed a slight falling off during the year; but, that in which there was an increase is very characteristic of the year in which it occurred. In 1878, a great portion of the agricultural population was still involved in the disastrous effects of the previous famine year, and creditors saw the inutility of pressing their claims. In 1879, however, circumstances had very much changed with the rapid return of prosperity, and creditors were anxious to realize their claims as soon as possible. The money-lenders, moreover, who furnish so large a proportion of plaintiffs in the Mofussil naturally dreaded the possible losses which they might suffer from the operation of the provisions of the Dekkhan Agriculturists' Relief Act, which would become law before the end of the year. The same reasons which brought about a decrease in litigation during the previous year affected the execution of decrees, but to a much larger extent. It was pointed out in the report for 1878, that the great decrease in execution matters was the most remarkable feature of the year. In 1879, on the other hand, the number of applications for execution of decrees increased to a very large extent, and the number of decrees unexecuted at the end of the year was considerably less. It was noticed in another part of this report, that 90 per cent. of the suits instituted were for money, and of these 70 per cent. were brought on bonds, whereas only 6 per cent. were for goods sold. From these facts alone the general character of the litigation during the year is easily inferred.

Compared with last year, the number of suits decided *ex parte* shows a slightly lower percentage. There were also fewer suits brought against Government and Public officers. One of the District Judges ascribes this result to the greater efficiency with which the duties of the office of the Legal Remembrancer to Government have been performed during the last few years.

Before passing on to the opinions expressed by some of the District Judges on a few important points, it will, perhaps, not be out of place here to call attention to the careless way in which the various returns seem to have been drawn up in the report for 1878. In addition to the unnecessary labour resulting from such inaccurate tabular statements, very erroneous deductions might in some cases have been drawn from them, as for instance when the number of revenue appeals for disposal in 1878 is stated to be 8,088 instead of *nil*, and the grand total of appeals for disposal is put down as 17,117 in place of 9,029. The reports, moreover, of most of the District Judges this year were very meagre, and the tabular statements annexed were not drawn up on an uniform principle.

Opinion of some of the District Judges on the effects and working of certain laws.

The District Judges of Ahmedabad, Surat, Khándesh and Poona having called attention to certain points in the working of some of the laws within their respective jurisdictions, it is deemed advisable to embody some of these remarks in this report. It was pointed out in a former report that the state of a large portion of the population of Khándesh is one of extreme poverty and ignorance. The country itself is, on the whole, wild and thinly cultivated, many parts being difficult of access, and far from the centres of commerce. It would appear from the views expressed by the District Judge and one of the Subordinate Judges of that Collectorate, that the present elaborate and expensive

procedure is not in any way suited to a large portion of its inhabitants. The District Judge states that it would be ridiculous to compare some of the debtors within the jurisdiction of Jalgaon or Erandol, for instance, with some of those within the jurisdiction of Nandurbár, yet, the same formalities of law are applicable to all alike, whether half savage Bhils or respectable well clad Kunbis. The Subordinate Judge of Shirpur remarks that the Insolvency provisions of the Code of Civil Procedure are practically useless, as most of the people in that district are too poor and wretched to obtain sufficient security, or to be able to afford service of notice on their numerous creditors and to pay all the process fees and batta for witnesses.

Although the condition of the ryots has undoubtedly improved during the last few years, they are still for the most part impoverished and indebted. There is perhaps very little to distinguish the state of Khándesh from that of the other districts of the Dekkhan. For this reason the District Judge suggests that the provisions of the Dekkhan Agriculturists' Relief Act should be extended to Khándesh, if it work successfully in the other four districts. It appears from some remarks made by the District Judge of Poona on the effects of the Dekkhan Agriculturists' Relief Act, which came into force on the 1st November 1879, that there was a decrease of 698 in the number of suits filed in the Poona Courts since its introduction up to the end of the year. It may be that creditors dreaded to file new suits in the ordinary Courts, lest the operation of the Act might prove unfavourable to them. This view is corroborated by the apparent eagerness evinced by decree-holders to execute their decrees before the Act came into force. It must, however, be borne in mind that the preliminary process of going before Conciliators and the extension of the periods of limitation must for a time defer the institution of suits. It is at present too soon to express any definite opinion as to the operation of the Act.

The Bombay Revenue Jurisdiction Act. Act X. of 1876.

The District Judge of Ahmedabad attributes the arrears in the District Court to the working of Section 15 of Act X. of 1876, and suggests that this Section be amended so as to exclude from its operation suits in which Government is sued as a railway proprietor, and also all suits in which officers of Government sue or are sued merely as administrator and guardians of minors.* During the year under review, suits against the Ahmedabad Municipality have been very numerous in consequence of the working of the city survey. The Judge, moreover, points out that owing to the number of Táluqdárs in the Ahmedabad District, many suits are brought in the District Court in consequence of the Collector being appointed guardian, in which Government has no real interest. The Western Rajputana State Railway has its Head Office in Ahmedabad, and the line between that city and Ajmer passes through exclusively Native Territory, for which reason, it is probable that all suitors will resort to the Ahmedabad Court. On this point the District Judge remarks that owing to the number of pending contracts, the line being under construction, the contractors will not sue the railway through fear of losing further profitable work, but that as soon as the line is completed, a number of intricate suits will be filed far beyond what the Court will have time to dispose of in addition to its other work.

The Minors Act XX. of 1864.

One of the District Judges pointing out an apparent defect in Act XX. of 1864, states that Section 12 of the Act gives the Court power to take such security as it shall think necessary from any person to whom it grants a certificate of administration of the property of any minor, but that as a matter of fact, although a security bond of a form adopted by the District Court is usually given when security is taken, nevertheless, such security bond is practically of no value, as the Act has not provided for the enforcement of the terms of the security bond by the Court. The Judge also calls attention to the fact that in his opinion Section 22 of the same Act taken together with Section 649 of the Code of Civil Procedure only applies to the recovery of money fines for wilful neglect or refusal to deliver an account of property in the hands of an administrator, but that it does not provide for the

* See 9 Bom. H. C. R. 59, I. L R. 1 Bom. 318.

enforcement of a security bond of the nature mentioned above. Without expressing any opinion on these points, it must be observed that Act XX. of 1864 is in many respects defective, and the attention of the legislature might well be directed to the amendment of the law relating to minors.

Debtors.

Although the condition of civil debtors has much improved under recent legislation, yet in some districts there is still much, which is unsatisfactory. On this point the District Judge of Khándesh remarks that the imprisonment of women for debt has always been very common in that district—"A wife signs a bond as security for her husband and eventually goes to the Civil Jail in place of her husband, or, an aged useless old mother undertakes this liability."

Some of the District Judges are of opinion that the Civil Jail as an institution acts as a powerful instrument in the hands of creditors for obtaining fresh bonds for time-expired debts, yet, it would appear from the returns furnished, that imprisonment for debt is seldom resorted to, except in extreme cases. One of the Small Cause Court Judges remarks on this point that "as a rule, the money due is always forthcoming on the debtor being arrested, and, if not, the decree-holder generally prefers letting him off to pay him for his keep." The total number of debtors brought under arrest in execution of money decrees in the Kánara District was 548 during 1879; of these 381 were released immediately after their arrest on payment of the amounts of the decrees against them; 147 were discharged either at the request of the creditors, or because the latter failed to pay the necessary subsistence allowance, or because the debtors were declared insolvents. It will be thus seen that only one in every twenty-six persons arrested was actually committed to jail.

Arbitration Courts.

The information given by the Judges respecting the Lavád or Arbitration Courts is very meagre. It would appear, however, that the number of cases referred to private arbitration was insignificant when compared with the total number of suits decided in the regular courts. The District Judge of Surat has given some interesting details connected with the working of the Arbitration Court in that city.—"At the commencement of the year under review, there were 38 suits pending on the file of that Court, the amount of the claim involved therein being Rs. 12,202-5-4. Sixty-four new suits involving claims to the aggregate amount of Rs. 30,532-3-11 were instituted during the year 1879."

Out of the 102 suits for disposal, 61 were decided during the year. The total value of the suits disposed of in 1879 amounted to Rs. 20,325-6-5. The suits filed in 1879 were brought on leases, mortgage deeds, bonds, samádaskhats, thamkhátás and contracts. There were also some suits to enforce partition and to recover damages. The Lavád Court generally sits on Sundays, and if convenient to the parties on other days also. During the year under report, there were altogether 39 sittings. It would appear that 2 arbitrators sit together to hear and decide cases; but sometimes the number is increased to 3 or 4, if the parties so wish. The parties appeared in person in all the cases decided by the Lavád Court in 1879; but according to the rules of the Court pleaders or mukhtyárs may appear on their behalf, if duly authorized to do so. 28 applications arising out of the decisions passed by the Lavád Court were made to the 1st Class Subordinate Judge's Court at Surat, and 6 to the 2nd Class Subordinate Judge for filing awards, and no objection was raised by the opposite party in any of the cases.

Proposed extension of certain Acts to Sind.

The Judicial Commissioner in Sind calls attention to the fact that Government was asked during the year to extend several useful Acts to Sind, which are not in force in that province, owing to their being included in the Schedule I. of Act XV. of 1874. Some of these Acts, he thinks, are urgently required, and the Judicial Commissioner "regrets that the necessary notifications have not yet been issued, notwithstanding the attention of Government has been repeatedly called to the matter."

Expenditure and Receipts.

The following statement shows the expenditure and revenue from stamps and court-fees of all the Civil Courts in the Presidency, except the courts in the Island of Bombay, during the

year under report, as well as the result whether a surplus or deficit in each case. The expenditure and receipts of the Sessions Courts are included, as they cannot be shown separately :—

Courts.	Expenditure.	Receipts.	Surplus.	Deficit.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Mofussil Small Cause Courts	87,186 12 3	1,27,248 4 4	40,061 8 1	.....
Subordinate Judges' Courts.	9,96,551 7 2	14,60,859 15 8	4,64,308 8 6	.....
Unpaid Tribunals	.....	1,154 14 0	1,154 14 0	.....
District and Sessions Courts including those of the Joint and Assistant Judges	5,99,579 13 8	1,17,460 8 7	.....	4,82,119 5 1
Total ...	16,83,318 1 1	17,06,723 10 7	.....	.....
Result in 1878 ..	16,22,836 0 0	16,34,037 0 0	.....	.....

From the above it appears that there was a surplus in every grade of Court, except the District and Sessions Courts, and that the net surplus amounted to Rs. 23,405-9-6, as compared with Rs. 11,201 of the previous year. As in 1878, all the Mofussil Small Cause Courts show a surplus revenue, the Poona Court yielding the largest, viz., Rs. 18,267-13-7 and the Karáchi Court the smallest, viz., Rs. 3,933-3-2.

The revenue exceeded the cost in all the Courts of the Subordinate Judges except those in the Sátára, Kánara and Karáchi Districts, the largest surplus having been obtained from the Khándesh Courts. The greatest deficit in the District and Sessions Courts is noticeable in Surat. The cost of the Original and Appellate Sides of the High Court was, as already stated, Rs. 4,41,334-2-2 and Rs. 2,79,809-0-1, respectively, and that of the Sadar Court in Sind was Rs. 37,453-9-9; these figures, together with Rs. 16,83,318-1-1, make a grand total of Rs. 24,41,914-13-1 for all the Civil Courts in the Presidency.

It may here be noted that in the figures for the Appellate Side of the High Court given in the returns for 1878, the expenditure of the Translator's Department attached to that Side was not included, as it was supposed that that item was embodied in the returns furnished by the Original Side, to which the Chief Translator of the High Court had submitted the returns of the two establishments under him. The receipts of the Sadar Court in Sind amounted to Rs. 1,585-9-0, which, with Rs. 2,58,073-6-6 and Rs. 24,351-4-0 of the Original and Appellate Sides of the High Court, and Rs. 17,06,723-10-7, shown in the above statement, make a grand total of Rs. 19,90,733-14-1. In the figures for the High Court and the Sadar Court in Sind, the cost of administering criminal justice is included.

E.—JUDICIAL STATEMENTS.

(1.)—Civil—Statement showing the Number and Description of Civil Suits instituted in the Civil Courts of the Presidency of Bombay in the year 1879.

Class of Tribunals.	Suits for Money, distinguishing Suits up to Rs. 500, cognizable by Small Cause Courts from "Other Cases."																Suits under the Rent Law								Other Suits.												Remarks.
	On Written Obligations.		On Unwritten		On account stated.		Money had and received.		Goods sold		Breach of Contract not mentioned above.		Rent not falling under the Rent Law		Moveable Property or Value thereof		Damages.		Arrears of Rent with or without ejectment or cancellment of Lease	Enhancement or abatement of Rent.	Relating to Distraint.	Damages for eviction, or with holding Receipts, or on account of illegal restraint or other cause	For Potahs or Kabuliyats.	For ejectment or recovery of possession	For recovery of Money or Accounts from Agents.	All other Suits under the Rent Law not included above.	Suits for Immoveable Property	Suits for specific performance of Contract.	Suits to declare and establish Rights to Real Property, including Pre-emption, Foreclosure, &c	Suits to declare and establish Personal Rights	Suits for an Account	Suits relating to Religious Endowments	Suits to set aside Judgments, Contracts, or Obligations on the ground of Fraud	Suits for dissolution of Marriage	Suits for enforcement of Matrimonial Rights.	Suits for Partition	Suits relating to Shipping.	Suits relating to Religion and Caste.	
	Rs 500 and under.	Above Rs 500	Rs. 500 and under.	Above Rs 500.	Rs 500 and under	Above Rs. 500.	Rs 500 and under	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs 500.	Rs 500 and under	Above Rs. 500	Rs. 500 and under	Above Rs 500.	Rs. 500 and under.	Above Rs. 500																								
Mofussil Small Cause Courts	9,471	..	988		2,658		571	..	2,642	..	104	72	494	103	76	28	49		..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	.	
Unpaid Local Tribunals	128	1	9		1		.		.		.		4	..	1		3		..	..	..	..	.	..	..	..	9	.	1	..	..	..	..	..	..	..		
Paid Sub-Divisional Tribunals	63,013	1,335	5,677	155	9,476	361	742	34	2,882	26	689	31	3,374	35	1,329	61	305	41	..	..	..	..	7	..	..	..	7,429	3	1,117	83	72	18	24	18	77	104	18	23	
De exercising Small Cause Court Jurisdiction	25,923	..	1,104	.	4,295	..	236	2	1,276	4	21	28	235	4	445	1	61	.	..	..	..	..	..	..	..	..	..	1	1	..	..	..	..	..	2	..	..	.	
Chief Courts of Districts, inclusive of Joint and Assistant Judges	16	27	3	1	1	2	..	3	..	3	1	4		.	16	2	5	4	..	.	..	..	..	..	1	..	38	5	28	8	12	1	77	2	6	2	..	..	
Cantonment Magistrates	522	..	153	..	423	..	2	.	117	..	8	..	170	..	..		7		..	..	..	..	..		..	..	..	.	..	..	..	..	..	..	..	..	..	..	
Total	99,031	1,363	7,834	156	16,854	363	1,531	39	7,917	33	823	125	4,277	142	2,861	90	430	45	..	..	..	..	7	..	1	..	7,476	9	1,142	90	84	19	101	20	84	106	20	23	
Result in 1878	94,278	1,435	6,380	166	12,772	393	1,343	70	6,246	59	767	77	3,849	43	1,763	62	382	72	..	..	4	..	5	..	..	3	7,467	234	1,283	87	75	8	44	8	118	100	3	16	
Revenue Courts Paid Sub-Divisional Tribunals	..		..	..	..	.	.	.	..	..	..	..	..	..	..	..	..	..	.		..	..	..	..	..	..	1,813	..	4,096	..	..	.	..	..	.	..	..	..	
Result in 1878	..	..	..		..	..	.	..	.	.	..	..	.	..	..	..	..	..	..	..	..	..	..	.	..	..	1,221	.	4,327		..	..	..	.	..	..	..	..	

(1a.)—Statement showing the number and description of Civil Suits instituted against Government in the Civil Courts of the Presidency of Bombay in the year 1879.

Chief Courts of Districts, including those of Joint and Assistant Judges	5	8	..	1	..	..	..	1	.	..	..	..	..	..	1	1	1	..	..	3	.	..	..	.	..	..	9	1	2	6	..	..	2	..	..	1	..	.	Total 37 suits.
Result in 1878	6	2	3	1	..	..	5	.	1	.	1	..	2	..	1	1	..	3	..	..		..	..	.	..		14	..	3	16	..	..	5	..	..	..	..	.	Total 54 suits.

* One of these was instituted by Government.

E.—JUDICIAL STATEMENTS.—*continued.*

(2).—Civil—Statement showing Value of Suits disposed of in the Civil and Revenue Courts in the Bombay Presidency in the Year 1879.

Value of Suits.	Number of Suits disposed of in different Courts.					Total value of Suits.	Remarks.
	Village Courts.	Small Cause Courts.	Subordinate Judges and other Sub-Divisional Courts.	District Courts.	Superior Courts.		
1	2	3	4	5	6	7	8
In Civil Courts.						Rs. a. p	Civil Courts.
Rs.							
Not exceeding 5	.....	1,885	5,127	36	.....	35,051 12 0	Besides the suits shown in this statement, there were 277 suits in which the amounts of claim were not mentioned; and hence they have been excluded from this statement. Similarly, 2 suits transferred to the Dormant file, 2 abated under Section 366 of Act X. of 1877, and 124 transferred to other Courts, have been omitted from this statement.
" " 20	.....	8,480	31,078	86	.....	5,46,223 10 4	
" " 100	.....	13,004	70,460	358	.....	38,21,271 14 0	
" " 500	.....	3,152	21,780	505	.....	49,09,162 13 1½	
" " 1,000	.....	.....	1,933	147	.....	14,37,503 6 6½	
" " 5,000	.....	.....	924	80	.....	20,44,108 15 9	
" " 10,000	.....	.....	39	14	.....	3,55,179 12 5	
" " 1,00,000	.....	.....	21	9	.....	4,75,847 12 4	
Exceeding 1,00,000	.....	.....	2	1	.....	6,86,024 2 0	
Total ..	.....	26,521	131,364 (a)	1,236	.....	1,43,10,374 2 6	(a) This figure includes 11,112 suits of the total value of Rs 3,02,097 disposed of by the Sub-Judges exercising Small Cause Court jurisdiction in the Thána District; and also 62 suits disposed of by Jahágírdárs
In Revenue Courts.							Revenue Courts.
Rs.							
Not exceeding 5	.....	.....	1,063	.....	.....	3,084 11 5	Besides the suits shown in this statement, there were 574 suits in which no amounts of claim were mentioned; these have, therefore, been excluded from this statement; so also 1 suit abated under Section 9 of Act XIV. of 1877.
" " 20	.....	.....	1,484	.....	.....	19,023 15 3	
" " 100	.....	.....	2,455	.....	.....	1,20,704 14 2	
" " 500	.....	.....	942	.....	.....	1,98,099 8 11	
" " 1,000	.....	.....	66	.....	.....	46,144 3 9	
" " 5,000	.....	.....	25	.....	.....	41,066 5 9	
" " 10,000	.....	.....	1	.....	.....	8,004 0 0	
" " 1,00,000	.....	.....	1	.....	.....	20,000 0 0	
Exceeding 1,00,000	.....	.....	.....	.....	.....	.....	
Total in Revenue Courts .	.....	.....	6,037	.....	.....	4,56,127 11 3	
Grand Total ..	.....	26,521	137,401	1,236	.....	1,47,66,501 13 9	
Result in 1878 ..	.....	16,941	125,710	284	2	1,46,67,485 7 2	

E.—JUDICIAL STATEMENTS—*continued.*

(3.)—*Civil—Statement showing the General Result of the Trial of Civil Suits in the Courts of Original Jurisdiction in the Presidency of Bombay in the year* 1879.

Class of Courts.	Suits remaining from last year.	Instituted in 1879.	Received by Transfer.	Total for disposal.	Transferred to other Courts.	Plaint rejected or returned.	Dismissed for Default.	Withdrawn with Leave.	Compromised.	Decreed on Confession.	Decreed *ex parte*.	Dismissed *ex parte*.	Contested. Judgment for Plaintiff in whole or part.	Contested. Judgment for Defendant.	Total disposed of.	Pending.	Over 2 Months.	Over 4 Months.	Average Duration of Suits. Contested.	Average Duration of Suits. Uncontested.	Referred to Arbitration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Village Courts	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Small Cause Courts, Mofussil ..	2,289	18,301	..	20,590	7	18	1,180	168	3,524	2,991	7,583	256	2,207	468	(a)18,459	2,126	446	(a1)266	..	88	38	24
Unpaid Local Tribunals	57	186	1	244	4	..	16	1	22	17	106	1	32	4	203	41	34	31	164	108	..	..
Paid Sub-Divisional Tribunals ..	28,326	120,164	1,328	149,818	968	945	12,275	530	16,389	10,538	56,911	3,306	19,477	3,573	125,160	24,613	7,722	8,858	240	152	736	..
Do. exercising Small Cause Court Jurisdiction (b).	3,151	12,922	21	16,094	324	7	288	21	1,058	1,335	9,112	447	1,450	144	14,192	1,902	876	368	83	85	..
District Courts other than Chief Courts of District.	54	25	184	263	52	1	13	2	12	4	9	1	22	36	154	109	12	83	231	164	3
Chief Courts of Districts	1,090	257	126	1,474	229	6	794	4	21	27	14	1	42	31	1,377	97	25	55	367	169	11
Cantonment Magistrates	85	1,402	..	1,487	..	6	97	66	62	651	438	28	77	31	1,456	31	30	1	13	2	..
Superior Courts of General Jurisdiction.	869	(c) 723	..	1,592	..	..	(d) 297	8	63	9	169	11	73	40	(e) 742	850	96	1,021	265	261	10
Superior Courts of Special Jurisdiction. — Admiralty ..	2	2	..	4	..	..	..	..	..	..	2	..	..	..	2	2	..	..	37	..	..
Superior Courts of Special Jurisdiction. — Testamentary ..	11	6	..	17	..	..	3	..	..	..	..	..	3	..	6	11	..	..	..	..	..
Superior Courts of Special Jurisdiction. — Matrimonial ..	1	7	..	8	..	..	1	..	1	..	..	..	..	1	3	5	..	..	139	134	..
Superior Courts of Special Jurisdiction. — Pársi Matrimonial.	1	4	..	5	..	1	..	1	..	..	1	..	1	..	3	2	2	..	63	52	..
Superior Courts of Special Jurisdiction. — Insolvent ..	637	606	..	1,243	..	..	24	12	..	..	355	350	32	13	786	457	68	276	..	..	..
Total ..	35,573	154,605	1,660	192,839	1,584	984	14,988	813	21,102	15,572	74,700	4,401	23,416	4,341	162,543	30,246	9,311	10,957	153	116	784
Revenue Courts.																					
Unpaid Local Tribunals	1	10	..	11	..	..	1	1	..	1	1	..	2	..	6	5	..	5	42	25	..
Paid Sub-Divisional Tribunals ..	223	7,058	60	7,337	54	464	1,050	1,052	360	456	352	148	2,287	908	7,111	226	201	62	54	39	..
Courts of Collectors	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total ..	224	7,068	60	7,348	54	464	1,051	1,053	360	457	353	148	2,289	908	7,117	231	201	67	48	32	..
Grand Total ..	36,797	161,673	1,720	200,187	1,638	1,448	16,039	1,866	21,462	16,029	75,053	4,549	25,705	5,249	169,660	30,477	9,512	11,024	136	102	784
Result in 1878 ..	35,099	147,565	1,065	183,729	1,366	708	10,886	1,977	16,645	14,588	67,840	4,207	23,369	5,018	147,181	37,075	9,331	12,741	165	87	433

Remarks.

(a) With the exception of these, 2 suits were transferred to the dormant file and 2 suits abated under Section 368 of Act X. of 1877.

(a1) There were also 425 suits of less than two months' duration.

(b) This information is supplied for Khándesh, Sátára, Ahmednagar and Sholápur only. The Judge of Thána has included such suits under Paid Sub-Divisional Tribunals.

(c) This includes 13 suits restored to Board in 1879.

(d) Most of these were compromised out of court without any official intimation being given.

(e) Includes 15 suits dismissed by Judge's order in Chambers, 28 referred to Commissioner, 4 to arbitration by Judge's order in Chambers, and 15 suits stayed.

There were besides 3 cases under the Court's Extraordinary Original Jurisdiction, out of which 1 was disposed of.

E —JUDICIAL STATEMENTS—*continued.*

(4.)—Civil—Statement showing the business of the Civil and Revenue Appellate Courts of the Presidency of Bombay in the year 1879

Class of Court.	Remaining.	Instituted.	Received by transfer.	Total.	Transferred.	Dismissed for default.	Heard Ex parte.			Contested				Total disposed of.	Pending.	Over 4 Months.	Objections under Section 561, Act X. of 1877	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded						
Civil Appellate Court other than Chief Court of District.	654	182	997	1,833	358	79	27	10	7	503	111	125	24	1,247	627	481	10	2	
Collector's Appellate Court		112		112			107	2	3	..	.			112			...		
Chief Appellate Court of District. — Civil Appeals	2,684	3,048	359	6,091	994	111	194	23	23	1,281	256	289	107	3,314	2,736	1,831	41	11	
Chief Appellate Court of District. — Revenue Appeals	..	.				.	.	.		..	.	..	.	.	...	..		..	
Superior Appellate Courts other than Chief Courts of Province, each Class of Courts being specified.		..			...	..	...	..	.	...	..	..	...	..	...		...	..	
Chief Court of Province — (a) Regular Appeal from Judge or Bench in Original Jurisdiction.	22	15	.	37	..	9	..	...	..	15	2	3	..	29	8	8	.	...	(a) There were 5 references from Small Cause Courts, of which 2 were disposed of in 1879.
Chief Court of Province — (b) From District Courts.	42	30	.	72	..	..	2	...		20	4	13	3	42	25	11	7	1	(b) 34 appeals were otherwise disposed of— 1 Original suit from Zanzibar which was filed in 1878 was transferred to the Original Side of the High Court in this year
Chief Court of Province — (b) Special and Second Appeals.	160	469	..	629		..	173	1	3	166	31	43	34	451	155	81	18	4	
Chief Court of Province — (b) Miscellaneous Appeals.	23	49	.	72	...	..	7	...	1	13	3	7	7	(c) 38	28	7	1	1	(c) In addition to this number, 4 miscellaneous appeals were disposed of by the Sadar Court, also 2 applications under Section 622, Civil Procedure Code, and one application under Section 598 of the Civil Procedure Code for leave to appeal *in forma pauperis.*
Sadar Court in Sind	18	24	.	42	...	6	...	...	...	11	5	12	...	34	8	4	...	...	
Total	3,603	3,929	1,356	8,888	1,352	205	510	36	37	2,009	412	492	175	5,267	3,587	2,423	77	19	
Result in 1878	3,672	3,705	1,652	9,029	1,641	116	485	33	63	1,883	397	480	215	5,282	3,604	2,337	98	31	

(5.)—Civil—Statement showing the Execution of the Decrees of the Civil and Revenue Courts of the Presidency of Bombay in the year 1879.

Class of Courts.	Applications to Execute Decrees.				Decrees completely executed.	Decrees partially executed.	Pending at the end of 1879.	Decrees executed by possession being given.	Nature and Number of Coercive Processes issued.						Remarks.
	Pending.	Filed.	Received by Transfer.	Total.					Imprisonment of Person.	Moveable Property.		Immoveable Property.		Orders under Section 243, Code of Civil Procedure.	
										Attached.	Sold.	Attached.	Sold.		
Mofussil Small Cause Courts*	6,977	25,812	...	32,789	2,614	13,836	6,687	...	222	3,115	552	..	...	...	* 9,662 decrees were otherwise disposed of.
Unpaid Local Tribunals†	184	297	...	481	48	75	137	4	4	30	15	20	4	...	† 164 do. do.
Paid Sub-Divisional Tribunals‡	62,033	185,364	136	247,533	27,351	51,949	53,559	2,961	3,579	11,615	4,070	20,367	11,312	142	‡ 95,115 do. do.
Do. exercising Small Cause Court Jurisdiction§	1,643	7,681	...	(a) 9,324	653	1,514	1,674	...	87	752	272	...	...	...	§ 5,483 do. do.
Do. Courts other than Chief Courts of Districts‖	13	62	...	(b) 75	27	6	23	2	4	6	1	2	...	...	‖ 14 decrees were otherwise disposed of.
Chief Courts of Districts¶	100	549	16	665	79	268	110	4	14	206	8	50	29	...	¶ 184 decrees were otherwise disposed of.
Cantonment Magistrates	268	1,759	...	2,027	197	1,619	211	...	16	63	34	35	26	...	
Total ...	71,218	221,524	152	292,894	30,969	69,267	62,401	2,971	3,926	15,787	4,952	20,474	11,371	142	
Result in 1878 ...	57,317	206,703	1,542	265,562	27,786	47,511	71,218	2,722	3,828	13,361	4,512	18,845	11,139	215	
Revenue Courts Paid Sub-Divisional Tribunals	...	...	...	...	...	...	...	430	...	...	...	...	...	...	
Result in 1878 ...	...	...	...	...	...	..	...	476	...	1	...	...	...	...	